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QUESTION OF THE VIOLATION OF HUMAN RIGHTS IN THE OCCUPIED ARAB TERRITORIES, INCLUDING PALESTINE

Letter dated 18 December 1992 from the Permanent Observer for Palestine to the United Nations and other international organizations at Geneva addressed to the Under-Secretary-General for Human Rights

The Israeli Government took the decision, on 16 December 1992, to deport 418 Palestinians, among the 1,250 arrested and imprisoned a few days ago. Last night, 17 December, the Israeli Government implemented this decision by deporting these people from their homeland in a mass deportation process, gravely violating once again the principles of international law, the provisions of international humanitarian law and of the Fourth Geneva Convention of 12 August 1949. This violation constitutes a new war crime according to the principles of international law.

In the meantime, such a process constitutes a new Israeli rejection of the resolutions of the Security Council, the General Assembly and the Commission on Human Rights as well as a disregard of the repeated appeals of the International Committee of the Red Cross to the Israeli Government to refrain from deporting Palestinian citizens from their homeland.

The decision of the Israeli Government on the mass deportation of the Palestinians, without trial, illustrates the war policy practised by this Government against the Palestinian people since 1948, in violation of article 3 of the Fourth Geneva Convention, as well as it shows Israel's real stand against peace and against the peace process, although it claims to be in favour of it, thus misleading world public opinion and perpetrating, at the same time, acts aiming at banishing any hope for peace.

It is a multi-aspect war crime, containing deportation of the population by the Israeli occupation authorities in a grave violation of article 49 of the Fourth Geneva Convention, but also containing an aspect of collective punishment in a grave violation of article 33 of the same Convention, as well as of the principles of international law, and an aspect of physical destruction of the families of the deportees who will now face poverty, hunger, illness and death, due to the prolonged absence of these persons who had the responsibility of covering the vital needs of their families, this aspect constituting a grave violation of paragraph (c) of article III of the Convention on the Prevention and Punishment of the Crime of Genocide. This crime against humanity now takes a new direction towards an unconfessed but effective sort of "ethnic cleansing", as such a mass deportation of 418 persons affects, in fact, more than 2,000 people at a time, that is, not only the deportees themselves, but each and every member of their families remaining in the cccupied territories.

Before this grave situation, we kindly request you to act with the Chairman of the Commission on Human Rights and intervene to urge Israel to allow the Palestinian deportees to return safely to their homelands, thus respecting its commitments as party to the Geneva Convention and as a Member State of the United Nations, and to abide by the provisions of the Charter of the United Nations and the United Nations resolutions on the applicability of the Fourth Geneva Convention of 1949 to the occupied Palestinian territories and on the prevention of the deportation of Palestinian citizens from their homeland. We finally request you to consider the present memorandum as an official document of the forty-ninth session of the Commission on Human Rights.

(Signed) Nabil Ramlawi
Permanent Observer for Palestine